

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DEENA WEISBERG,

Plaintiff,

Case No. 24-cv-12441

v.

HON. MARK A. GOLDSMITH

CHUBB INSURANCE COMPANY,

Defendant.

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**ORDER REGARDING JURISDICTION**

This matter is presently before the Court on Defendant Chubb Insurance Company’s notice of removal (Dkt. 1). The notice of removal states that the Court has subject-matter jurisdiction based on diversity of citizenship. See Notice of Removal ¶ 4. Under the diversity jurisdiction statute, 28 U.S.C. § 1332, federal district courts have jurisdiction over matters in which there is “complete diversity such that no plaintiff is a citizen of the same state as any defendant.” V & M Star, LP v. Centimark Corp., 596 F.3d 354, 355 (6th Cir. 2010). In a diversity case, the party asserting jurisdiction—in this case, Defendant—bears the burden of establishing it. See Hertz Corp. v. Friend, 559 U.S. 77, 96 (2010).

Defendant states that Plaintiff is a citizen of Michigan. As to its own citizenship, Defendant states that it is “domiciled in Indiana with its principal place of business in Philadelphia, Pennsylvania.” Notice of Removal ¶ 6. But domicile is not the relevant test for a corporation. A corporation is a citizen of any state by which it has been incorporated and of the state where it has its principal place of business. 28 U.S.C. § 1332(c)(1). Defendant did not specify the states by

which it has been incorporated. Therefore, the Court cannot conclude that it has subject-matter jurisdiction over this action based on diversity of citizenship.

Defendant is ordered to file a memorandum within 10 days of the date of entry of this order setting forth proper jurisdictional allegations. If Defendant believes that the current allegations are sufficient, it must file a memorandum explaining its position within the same 10-day period. Failure to comply with this order will result in the dismissal of this case pursuant to Federal Rule of Civil Procedure 12(h)(3) for lack of subject-matter jurisdiction.

SO ORDERED.

Dated: October 17, 2024  
Detroit, Michigan

s/Mark A. Goldsmith  
MARK A. GOLDSMITH  
United States District Judge